

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEITH KRAUSE,)	
)	
Petitioner,)	CASE NO. C09-1452-JCC MAT
)	
v.)	
)	ORDER DIRECTING RESPONDENT
TIMOTHY WENGLER,)	TO SUBMIT STATE COURT
)	RECORD
Respondent.)	
_____)	

This is a habeas action brought pursuant to 28 U.S.C. § 2254. Petitioner's federal habeas petition is currently ripe for consideration. However, upon review of the submissions of the parties, this Court discovered that it is not in possession of the state court record. It is unclear whether the record was simply never received by the Court or whether it was received by the Court and subsequently misplaced. Regardless, however, the Court is unable to proceed to disposition of petitioner's federal habeas petition until it has the state court record available for review.

Accordingly, the Court does hereby ORDER as follows:

(1) Respondent shall submit all relevant portions of the state court record to this Court for review not later than *April 23, 2010*.

01 (2) Petitioner's federal habeas petition (Dkt. No. 5) is RENOTED on the Court's
02 calendar for consideration on *April 23, 2010*.

03 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for
04 respondent, and to the Hon. John C. Coughenour.

05 DATED this 13th day of April, 2010.

07 

08 Mary Alice Theiler
09 United States Magistrate Judge
10
11
12
13
14
15
16
17
18
19
20
21
22